

**United States Bankruptcy Court
Northern District of California**

In re **Jose Banaag
Myrna Banaag**

Debtor(s)

Case No. **11-31698DM**
Chapter **13**

MOTION TO CONVERT A CASE UNDER CHAPTER 13 TO A CASE UNDER CHAPTER 7

Pursuant to 11 U.S.C. § 1307(a), the above-named Debtor(s) requests that this court enter an Order converting this case under Chapter 13 to a case under Chapter 7 of the Bankruptcy code (title 11 of the United States Code), on the grounds set forth below.

1. On **May 2, 2011**, the above-named Debtor(s) filed a Voluntary Petition under Chapter 13 of the Bankruptcy Code.
2. Chapter 13 Trustee has been appointed.
3. The additional fee is being paid concurrently with the filing of this notice.
2. The notice of conversion is filed in good faith, and Debtors are eligible for relief under Chapter 7.

WHEREFORE, Debtor(s) prays for an Order converting this case under Chapter 13 to Chapter 7 of the Bankruptcy Code.

Date **September 19, 2011**

Signature **/s/ Jose Banaag**
Jose Banaag
Debtor

Date **September 19, 2011**

Signature **/s/ Myrna Banaag**
Myrna Banaag
Joint Debtor

Attorney **/s/ Caleb Leys, Esq.**
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